

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAAK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.

DEXIA S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

No.: 04-CV-10411 (PBS)

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendant.

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10501 (PBS)

PLAINTIFFS' COUNSEL'S MOTION FOR PROTECTIVE ORDER

Pursuant to Fed. R. Civ. P. 26(c), Plaintiffs' Counsel and their agent ("Plaintiffs' Counsel")¹ respectfully request that this Court grant them a protective order precluding Dexia Bank Belgium ("Dexia") from taking depositions by oral examination of Plaintiffs' Counsel.

Instead, Plaintiffs' Counsel request that this Court enter an Order:

- (a) quashing the Notices of Deposition served on Plaintiffs' Counsel as unduly burdensome, cumulative, harassing and duplicative or, in the alternative, limiting Dexia's examination of Plaintiffs' Counsel to depositions by written question;
- (b) limiting the scope of any deposition of Plaintiffs' Counsel to the parameters already established in the Court's December 22, 2005 Order; and
- (c) limiting Dexia's examination of Class Counsel and its investigator to only one representative, testifying on behalf of all lead counsel for the class plaintiffs.

In support of this motion, Plaintiffs' Counsel submit the accompanying Memorandum of Law and Declaration of Patrick T. Egan.

¹ "Plaintiffs' Counsel" as used herein means the following entities and persons: Gregory P. Joseph (deposition noticed for May 30, 2006), Bernstein Litowitz Berger & Grossmann LLP (deposition noticed for May 31, 2006), Boies Schiller & Flexner LLP (deposition noticed for June 1, 2006), Cauley Bowman Carney & Williams PLLC (deposition noticed for June 2, 2006), Berman DeValerio Pease Tabacco Burt & Pucillo (deposition noticed for June 5, 2006), Shalov Stone & Bonner LLP (deposition noticed for June 8, 2006), and James Mintz Group Inc. (deposition noticed for June 7, 2006). Copies of the Notice of Depositions directed at these entities are attached as Exhibit D to the accompanying Declaration of Patrick T. Egan ("Egan Decl.").

The depositions subject to this motion were noticed for May 30, 2006 through June 8, 2006. Accordingly, Plaintiffs' Counsel respectfully suggest that this Court consider expedited consideration of this motion, in order to entertain this motion prior to the noticed dates.

WHEREFORE, Plaintiffs' Counsel request that this motion be granted in full.

**Certification Under Federal Rule of Civil Procedure 37(a)(2)(b),
and Local Rules 7.1(a)(2) and 37.1(b)**

Pursuant to Federal Rule of Civil Procedure 37(a)(2)(b), and Local Rules 7.1(a)(2) and 37.1(b), Plaintiffs' Counsel certify that the parties met and conferred regarding the issues addressed by this motion, but were unable to resolve their differences.

Request for Oral Argument

Pursuant to Local Rule 7.1(d), Plaintiffs' Counsel respectfully request the opportunity to present oral argument in support of the instant motion. Oral argument may assist the Court in the resolution of this motion.

Dated: May 19, 2006

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